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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,284	04/04/2001	Hiroshi Matsuuchi	50023-136	4052

7590 06/03/2004  
MCDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER

KING, JUSTIN

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/825,284

Applicant(s)

MATSUUCHI ET AL.

Examiner

Justin I. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.  
4a) Of the above claim(s) 3, 8, 14 and 16 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 2, 4-7, 9-13 and 15 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 04 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Noting the selection of the Group I from the paper #7 dated 3/3/04. Applicant should cancel the claims 3, 8, 14, and 16 in the un-selected Group II.

### ***Drawings***

2. Figures 16-22 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. Applicant states "iPCR[0] of its node 100" on line 7, page 5. Applicant may have meant "node 200" instead of.
4. The paragraph 4 (lines 18-23) on page 6 is ambiguous and not clearly written. A substituted paragraph is needed.
5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Digital Device, Data Input-Output Channel Control Method, and Data Input-Output Channel Control System".

***Claim Objections***

6. Claim 1 is objected to because of the following informalities: The preamble of the claim 1 states "A digital device for inputting data". Applicant suggests changing the "inputting data" to "receiving data". Furthermore, the preamble recites "a physical plug" twice. Applicant needs to clarify whether there are two separate physical plugs or only one physical plug. Appropriate correction is required for claim 1 and any other occurrences in other claims.

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 2, 7, 10, 12-13, and 15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 2 and 7's configuration information includes channels' priority information judged from the aspect of each plug and plugs' priority information judged from each channel. The claim does not enable one on how to utilize the priority information to prioritize system resources. Claims 13 and 15 are rejected because they are incorporated the claim 2's limitations.

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9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1-2, 4-7, 9-13, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "*the* other specific digital device" on lines 1-3 of the preamble and "the specific physical plug" on lines 11-12. There are insufficient antecedent bases for the limitations in the claim.

Claim 1 recites the limitation "*a* physical plug" twice on line 2 of the preamble. There is sufficient antecedent basis for the second occurrence of the "a physical plug".

Claim 1 recites the limitation "a channel", "a bus interface", and "a physical plug" on lines 7-8 and 10-11. There are sufficient antecedent bases for these limitations in the claim.

Claim 2 recites the limitation "a physical plug" on lines 16-17. There is sufficient antecedent basis for the limitation in the claim.

Claims 4-5 are rejected because they incorporate the parent claim's limitations.

Claim 6 recites the limitation "*the* other specific digital device" twice on lines 9-11 of the preamble. There are insufficient antecedent bases for the limitations in the claim.

Claim 6 recites the limitation "*a* physical plug" on lines 10 and 13, and "a bus interface" on lines 14 and 17. There are sufficient antecedent bases for these limitations in the claim.

Claim 7 recites the limitation "a bus interface" on lines 23-25. There are sufficient antecedent bases for the limitations in the claim.

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Claim 9 recites the limitation "a physical plug", "the other specific digital device", "a channel", and "a bus interface" on lines 13-14 and 16-17. There are sufficient antecedent bases for the limitations in the claim.

Claim 10 recites the limitation "a bus interface" on line 22. There is sufficient antecedent basis for the limitation in the claim.

Claim 11 recites the limitation "a channel" and "a bus interface" on lines 3 and 5-6, page 32 of the Paper #4. There are sufficient antecedent bases for these limitations in the claim.

Claim 12 recites the limitation "a bus interface" and "a physical plug" on lines 12 and 15. There are sufficient antecedent bases for these limitations in the claim.

Claims 13 and 15 are rejected because they incorporate the parent claim's limitations.

### ***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

12. Claims 1, 4-6, 9, and 11 are rejected under 35 U.S.C. 102(a) as being anticipated by the submitted prior art.

Referring to claim 1: The prior art discloses the configuration information (figures 17 and 18) including connection information channel of a bus interface and a physical plug. The prior art further discloses channel-selecting means for selecting a channel with the highest priority among channels of a bus interface connected with the specific physical plug by referring to the

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configuration information (figure 21, Application, page 5, lines 13-27). The prior art's selecting logic between the MPEG output plug and MPEG input plug is the claimed priority between a information of channels of a bus interface judged from the aspect of each physical plug. Hence, claim is anticipated by the prior art.

Referring to claims 4-5: Figure 21 is a 1394 digital TV (Application, page 5, last two paragraphs), which transmits the synchronous stream data.

Referring to claim 6: The prior art discloses the configuration information (figures 17 and 18) including connection information channel of a bus interface and a physical plug. The prior art further discloses channel-selecting means for selecting a channel with the highest priority among channels of a bus interface connected with the specific physical plug by referring to the configuration information (figure 21, Application, page 5, lines 13-27). The prior art's selecting logic between the MPEG output plug and MPEG input plug is the claimed priority between a information of channels of a bus interface judged from the aspect of each physical plug. Hence, claim is anticipated by the prior art.

Referring to claim 9: The prior art discloses the configuration information (figures 17 and 18) including connection information channel of a bus interface and a physical plug. The prior art further discloses channel-selecting means for selecting a channel with the highest priority among channels of a bus interface connected with the specific physical plug by referring to the configuration information (figure 21, Application, page 5, lines 13-27). The prior art's selecting logic between the MPEG output plug and MPEG input plug is the claimed priority between a information of channels of a bus interface judged from the aspect of each physical plug. Hence, claim is anticipated by the prior art.

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Referring to claim 11: The prior art discloses the configuration information (figures 17 and 18) including connection information channel of a bus interface and a physical plug. The prior art further discloses channel-selecting means for selecting a channel with the highest priority among channels of a bus interface connected with the specific physical plug by referring to the configuration information (figure 21, Application, page 5, lines 13-27). The prior art's selecting logic between the MPEG output plug and MPEG input plug is the claimed priority between a information of channels of a bus interface judged from the aspect of each physical plug. Hence, claim is anticipated by the prior art.

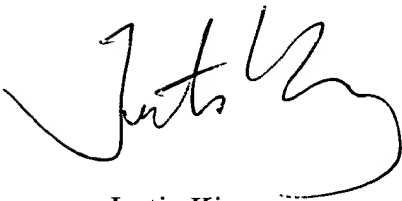


***Conclusion***

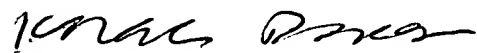
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin I. King whose telephone number is 703-305-4571. The examiner can normally be reached on Monday through Friday, 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-308-3110. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Justin King  
June 1, 2004



Khanh Dang  
Primary Examiner